

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

Dario Manon

v.

Case No. 11-cv-383-PB

United States of America

ORDER

As the briefs filed by the parties clearly demonstrate, the defendant's sentence was not affected by my determination that he was a career offender. I would not alter that sentence even if I accepted the defendant's contention that the career offender determination was erroneous. Because the defendant is not entitled to the relief he seeks, his motion to vacate sentence is denied (Doc. No. [1](#)).

Since defendant/petitioner has failed to make a substantial showing of the denial of a constitutional right, the court declines to issue a certificate of appealability. See 28 U.S.C. §2253(c)(2); Rule 11, Rules Governing Habeas Corpus Cases Under Section 2254; First Cir. LR 22.0.

SO ORDERED.

May 4 , 2012

/s/ Paul Barbadoro  
Paul Barbadoro  
United States District Judge

cc: Counsel of Record